

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

LINDELL R. DIAZ,

Plaintiff,

-against-

MB USA, ET AL.,

Defendants.

21-CV-7096 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated August 24, 2021, the Court directed Plaintiff, within thirty days, to submit an amended request to proceed *in forma pauperis* (“IFP application”) or pay the \$402.00 in fees required to file a civil action in this Court. That order specified that failure to comply would result in dismissal of the complaint, without prejudice to Plaintiff’s refiling it. Plaintiff has not filed an amended IFP application or paid the fee. Accordingly, the complaint is dismissed without prejudice. *See* 28 U.S.C. §§ 1914, 1915.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: September 24, 2021  
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN  
Chief United States District Judge